

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

ALAN DAVID FRICKER,

Plaintiff,

v.

Case No: 6:20-cv-1902-GKS-GJK

**COMMISSIONER OF SOCIAL
SECURITY,**

Defendant.

ORDER

THIS CAUSE concerns Plaintiff Alan David Fricker's appeal¹ from a final decision² of the Defendant, Commissioner of Social Security (Commissioner), denying his claim for Disability Insurance Benefits.³ Plaintiff and Defendant filed an Amended Joint Memorandum in support of their differing positions (Doc. 39). The Court referred the matter to the United States Magistrate Judge for a report and recommendation (Report and Recommendation).

On January 18, 2022, the United States Magistrate Judge issued a Report and

¹ Complaint filed October 15, 2020. (Doc. 1).

² Decision, April 7, 2020. (Doc. 22-2). Subsequently, on August 17, 2020, the Appeals Council denied Plaintiff's request for a review of the ALJ's decision.

³ The Commissioner filed a certified copy of the record before the Social Security Administration. (See Doc. 22.)

Recommendation (Doc. 40), recommending that the Administrative Law Judge's (ALJ) decision be reversed and remanded based upon the ALJ's "material misstatement in support of his decision." (Doc. 40:1, 5, 6, 7). No objections to the Report and Recommendation were filed.

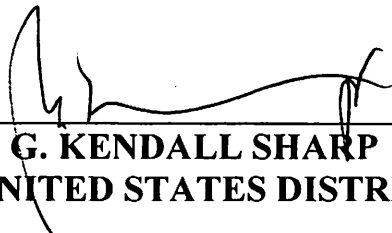
After review and consideration of the Report and Recommendation, it is hereby **ORDERED** and **ADJUDGED** as follows:

1. United States Magistrate Judge David A. Baker's Report and Recommendation (Doc. 40) is **APPROVED** and **ADOPTED** and is made part of this Order for all purposes, including appellate review.

2. The Commissioner's final decision in this case is **REVERSED** and **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g).

3. The Clerk of Court is directed to **ENTER JUDGMENT** in favor of Plaintiff Alan David Fricker, and against Defendant, Commissioner of Social Security, and **CLOSE** the case.

DONE AND ORDERED at Orlando, Florida, this 14 day of ~~February~~ ^{March}, 2022.



G. KENDALL SHARP
SENIOR UNITED STATES DISTRICT JUDGE

Copies to:
Counsel of Record
Unrepresented Parties